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PATENT
Attorney Docket No.: 021258-000100US

ASB
3-10-04

TOWNSEND and TOWNSEND and CREW LLP

By:

JoAnn Evangelista

RECEIVED

MAR 03 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TECHNOLOGY CENTER R3700

In re application of:

REED. Michael L. et al.

Application No.: 09/785,087

Filed: February 15, 2001

For: METHOD AND APPARATUS
FOR DRUG AND GENE DELIVERY

Customer No.: 20350

Confirmation No. 7261

Examiner: Thompson, Kathryn L.

Technology Center/Art Unit: 3763

**RESPONSE TO ELECTION OF
SPECIES REQUIREMENT**

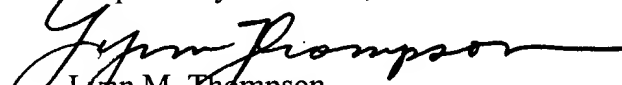
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election of Species Requirement mailed 01/28/2004,
Applicants elect species of Group 4, probes of porous material, without traverse. Applicants
identify the following claims as reading on the species: 10, 11, 22, 24-37, 39, 53-55.

If for any reason the Examiner believes a telephone conference would expedite
prosecution of the subject application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


Lynn M. Thompson
Reg. No. 47,991

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